

**Notice of Allowability**

Application No.

10/662,222

Applicant(s)

NAKAMURA, HIDEKI

Examiner

Tilahun B. Gesesse

Art Unit

2618

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/11/07.
2. ☒ The allowed claim(s) is/are 1,3,5-9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### **Status of claims**

1. This is in response to applicant amendment filed May 11, 2006, in which claims 2 and 4 have been deleted and claims 1,3,5-9 are pending.

### ***Allowable Subject Matter***

2. Claims 1,3, and 5-9 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance: the prior art of record, Reitmeier teaches a digital broadcast receiving apparatus (see abstract and figure 1, in which an information stream receiver, receives modulated signals such as an MPEG see column 2, lines 19-21) comprising: Reitmeier teaches a tuner (10A or 10B of figure 1) for receiving a coded digital broadcast signal wherein the tuner scans carrier frequencies of the digital broadcast signal to receive a first Carrier frequency (see column 2, lines 21-32, column 3, lines 40-57, column 4, lines 1-9 and abstract). Reitmeier teaches a decoding unit (45 and 60 of figure 1) for decoding and outputting the received digital broadcast signal at the first carrier frequency (see column 4, lines 10-20 and lines 43-49 and figure 1 ). Reitmeier teaches an extraction unit for extracting service information of each of the plurality of channels from the decoded digital broadcast signal at the first carrier frequency and a memory(34) for storing the extracted service information wherein after the memory stores the extracted service information the tuner scans (150 and 200) the carrier frequencies to receive frequency (see abstract, column 4, lines 10-20, column 9, line 1-column 10, line 27 and figure 1) .

on the other hand, the present applicant specifically teaches the tuner

automatically scans the carrier frequencies to receive a second carrier frequency different from the first carrier frequency, the decoding unit decodes and outputs a second received digital broadcast signal at the second carrier frequency, and the extraction unit extracts service information of each of a plurality of channels from a decoded second digital broadcast signal at the second carrier frequency. These limitation , in conjunction with all other limitations, has not been suggested , taught or made obvious over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flexible schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 571-272-7899.

The Central FAX Number is 571-273-8300. For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number .

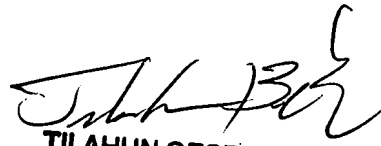
Information regarding the status of an application may be obtained from

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the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TG

June 1, 2007

  
TILAHUN GESESSE  
PRIMARY EXAMINER